692 "arbiters" and a "jury" that has set various methods of establishing proof (including several methods of ordeal). L. Mba, in a still unpublished study, (1) points out the existence of a

1. Last part of Essai de Droit Coutumier Pahouin [Essay on Pahouin Common Law], in Rapport de la Commission Enquête Historique, Libreville, 1949.

"family tribunal" — of minor lineage — with the ntòl as peacemaker assisted by one or two members of the grouping for dealing with purely internal affairs. He also indicates the existence of a "tribunal" of major lineage that intervenes in conflicts between two or several nd'è bòt, this constituting in principle) a court of appeal, consisting of a judge (who is not necessarily the "chief" of the lineage but any peacemaker who has shown his ability) before whom the representatives of the groupings involved appear. He also points out the existence of a similarly constituted clan "tribunal," which has the same functions at the level of larger groupings and also has the role of a court of appeal. Let us add 695 that the jury (bétolö) is not selected, outside of (blood) relatives and relatives by marriage, until the day the "tribunal" meets. These are only general indications. They show, however, that it is not so much a question of organizations with a judicial function as of principles [141] assuring the regulation of infractions and conflicts by a way other than violence. The status of "judge" 693 554 does not exist with the definiteness we will find when studying the Ba-kongo; instead it displays the same weaknesses as those of the "chief's" situation. The latter may be the judge for the lineage and the clan, but he will often find himself supplanted by a true "master of palaver." In this connection ability and personal prestige are dominant to such an extent that recourse is possible to judges of foreign clans, especially in criminal matters.

692 In the matter of judiciary organization as in that of the chefferie, it appears that the framework of kinship groupings lend itself very little to a centralization of power, either political